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8 Attorneys for Plaintiff  
9 COASTAL CORPORATION LTD.

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 COASTAL CORPORATION LTD.

13 Plaintiff

14 vs.

15 HARVEST KING TRADING USA,  
16 LIMITED, a California corporation;  
17 THOMAS JAU, an individual aka  
18 TOM JAU; LAM LAM, an  
19 individual; PAK LAM, an  
20 individual; DOES 1 THROUGH 10 ,  
21 INCLUSIVE

22 Defendants.

CASE NO. 2:22-cv-02687-DSF-JEM

**REPLY MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT OF PLAINTIFF'S  
APPLICATION FOR ISSUANCE OF  
RIGHT TO ATTACH ORDER**

**[Declaration of K. Tom Kohan  
Concurrently Filed Herewith]**

**Hearing Date: January 31, 2023**

**Time: 10:00 A.M.**

**Place: Roybal Federal Building and  
United States Courthouse**

**255 E. Temple Street, Los Angeles,  
California 90012**

**Courtroom 640, 6th Floor**

**Judge: Hon. John E. McDermott**

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25  
26 **REPLY MEMORANDUM OF POINTS AND AUTHORITIES**  
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1 Plaintiff Coastal Corporation Ltd. (“Plaintiff”) hereby submits its Reply  
 2 Memorandum of Points and Authorities in Support of its Application for Issuance of a  
 3 Writ of Attachment.

4 As a threshold matter, Defendant’s Opposition was due to be filed on or before  
 5 January 10, 2023- 21 days before the hearing date of January 31, 2023. However,  
 6 Defendant filed its Opposition on January 20, 2023 and thus, the opposition should be  
 7 disregarded. Nevertheless, Plaintiff’s counsel, not having anticipated such a late  
 8 opposition, and having been experiencing some health issues, hereby files Plaintiff’s  
 9 Reply Brief. Declaration of K. Tom Kohan, concurrently filed herewith (“Kohan Decl.  
 10 ¶2).IN

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 12 Defendant does not seem to dispute that it took Plaintiff’s goods without paying for  
 13 them. Defendant seems to center its argument around the fact that a third party (namely  
 14 Seafood Doctor) has alleged that it paid Plaintiff for those same goods, and therefore,  
 15 Plaintiff has somehow not suffered any damages. Assuming, *arguendo*, that Seafood  
 16 Doctor’s allegations in its Complaint in *RLI Insurance Company a/s/o Seafood Doctor v.*  
 17 *Harvest King Trading USA, et al.*, Central District of California case no. 2:22-cv-03173-  
 18 RSLW-AS (“Seafood Doctor Action”), are true<sup>1</sup>, this actually bolsters Plaintiff’s claims  
 19 in the instant action and its application for issuance of a writ of attachment.

20 As admitted by Defendant itself, Defendant has not paid anyone for the goods.  
 21 The allegation by Seafood Doctor, that it has paid Plaintiff for the goods, even if true,  
 22 does not change the fact that Plaintiff is owed this money from Defendant.

23  
 24 \_\_\_\_\_  
 25 <sup>1</sup> An application for a writ of attachment and an opposition thereto must be based on competent  
 26 evidence. A Complaint filed in a separate action does not rise of the level of competent evidence,  
 since by its definition, a complaint contains mere allegations.

1 In fact, even assuming Seafood Doctor's allegations are true, Plaintiff will have an  
2 obligation to repay Seafood Doctor for the breach committed by none other than  
3 Defendant. Seafood Doctor has in fact named Plaintiff in its lawsuit. Therefore, again,  
4 even if the allegations of Seafood Doctor's Complaint are true, Plaintiff must reimburse  
5 Seafood Doctor solely because of acts of Defendant.<sup>2</sup>

6 Accordingly, it is nonsensical at best to suggest that Plaintiff has not suffered any  
7 damages. Therefore, Plaintiff respectfully requests that its Application for Issuance of a  
8 Writ of Attachment be granted.

9 Date: January 27, 2023

Respectfully submitted,

10 KOHAN LAW FIRM

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13 By: /s/ K. Tom Kohan  
14 K. Tom Kohan, Esq.  
15 Attorneys for Plaintiff  
16 COASTAL CORPORATION LTD.

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25 <sup>2</sup> The instant application is obviously not the correct form to argue Plaintiff's potential claims and/or  
26 defenses in the Seafood Doctor Action. However, it is worthy to note that Coastal has not been  
27 served with the summons and the Complaint in the Seafood Doctor Action and has not appeared  
28 therein. Kohan Decl. ¶3.